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July 14, 2000

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VIA COURIER

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Salas:

On behalf of Paxson Communications Corporation, surviving applicant for a new commercial television station to operate on Channel 61 serving Mobile, Alabama, and the dismissing applicants, we hereby transmit an original and four copies of a *Petition for Rule Making* proposing a new channel below channel 60 pursuant to the Commission's *Public Notice* opening a filing window for such petitions (*Public Notice*, DA 99-2605 (rel. Nov. 22, 1999); window extended in *Public Notice*, DA 00-536 (rel. Mar. 9, 2000)). Included in the Petition is a request for waiver of the Commission's minimum spacing requirements (47 C.F.R. § 73.610).

If any additional information is needed in connection with this matter, please contact me.

Respectfully submitted,



Michael D. Basile

Enclosure

cc w/ encl.: Dean R. Brenner, Esq. (*counsel for Fant Broadcast Development*)
John E. Fiorini, III, Esq. (*counsel for Marri Broadcasting*)
Vincent A. Pepper, Esq. (*counsel for Television Capital Corporation of Mobile*)

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JUL 14 2000

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.606(b)
Table of Allotments,
Television Broadcast Stations
(Mobile, Alabama)

)
)
)
)
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MM Docket No. _____
RM- _____

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

**PETITION FOR RULE MAKING
TO AMEND THE TV TABLE OF ALLOTMENTS**

July 14, 2000

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SUMMARY

The Applicants submit this Petition to institute a rulemaking to amend the TV Table of Allotments by substituting Channel 50 for Channel 61 as the allocation for a new station in Mobile, Alabama. In 1996, three of the Applicants submitted mutually exclusive applications for a construction permit for the new commercial television broadcast station. In 1998, pursuant to the Balanced Budget Act of 1997, the Applicants resolved the mutual exclusivities and acted to have Paxson Communications Corporation stand as the surviving applicant for the new station. In a separate proceeding, the Commission reallocated Channels 60-69 to other services, forcing the Applicants to find an available allotment below Channel 60 to substitute. The Applicants have been required to wait until the opening of this filing window to submit the instant Petition to substitute Channel 50 for the Mobile, Alabama allotment.

Given the current spectrum crunch, Channel 50 represents the best available allotment for the new station. The proposed reallocation, however, would result in two short-spacings. Accordingly, the Petition includes a request for waiver of Section 73.610 of the Commission's rules. Because the forced reallocation would preserve a scarce opportunity for new full-power broadcast service and result in minimal new interference, grant of the waiver request is in the public interest.

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.606(b))	MM Docket No. _____
Table of Allotments,)	RM- _____
Television Broadcast Stations)	
(Mobile, Alabama))	
)	

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

**PETITION FOR RULE MAKING
TO AMEND THE TV TABLE OF ALLOTMENTS**

Paxson Communication Corporation (“Paxson”), surviving applicant for a new commercial television station to operate on Channel 61 serving Mobile, Alabama (the “Station”), Television Capital Corporation of Mobile (“TCCM”), the substituted for applicant for the Station, Fant Broadcast Development, L.L.C. (“Fant”), and Marri Broadcasting, L.P.(“Marri”), dismissing applicants for the Station (collectively, Paxson, TCCM, Fant, and Marri are the “Applicants”), by their attorneys and pursuant to Section 1.401 of the Commission’s Rules (47 C.F.R. §1.401) and Public Notice (*Public Notice*, DA 99-2605 (rel. Nov. 22, 1999) (“*Public Notice*”)),¹ hereby respectfully petition the Commission to institute a rulemaking to amend Section 73.606(b), the TV Table of Allotments, by substituting Channel 50 for Channel 61 as the Station’s allocation in Mobile, Alabama. The Applicants agree to amend their pending

¹ The Commission extended the filing window for petitions such as this one to July 15, 2000 in a subsequent Public Notice (*Public Notice*, DA 00-536 (rel. Mar. 9, 2000)).

applications to reflect the channel substitution as the Commission may instruct. Specifically, the TV Table of Allotments would be amended as follows:

	<u>Present</u>	<u>Proposed</u>
Mobile, AL	... and 61	... and 50

In 1996, TCCM, Fant, and Marri submitted mutually exclusive applications for a construction permit for a new commercial television broadcast station to operate on Channel 61 in Mobile Alabama (FCC File Nos. BPCT-960920WX, BPCT-960722KQ, and BPCT-960725LB, respectively). Congress later added Section 309(1) to the Communications Act of 1934, as amended, permitting the Commission to waive certain of its rules to encourage settlements of mutually exclusive applications.² Accordingly, on January 30, 1998, TCCM, Fant, and Marri timely submitted a Joint Motion for Approval of Universal Settlement Agreement (“Joint Motion”), seeking the grant of the TCCM application (the “Surviving Application”) and the dismissal of the applications submitted by Fant and Marri. Concurrently, TCCM and Paxson submitted an amendment to the Surviving Application seeking the substitution of Paxson as the surviving applicant (“Substitution Amendment”). Upon grant of the Joint Motion and Substitution Amendment, the mutual exclusivity would be resolved and Paxson would be the Station’s permittee. Both the Joint Motion and the Substitution Amendment remain pending.

As part of the Commission’s implementation of digital television, it decided to reduce the number of channels dedicated to television broadcasting to a so-called “core spectrum” consisting of Channels 2 through 51. The Commission reallocated Channels 60-69 to public

² 47 U.S.C. § 309(l).

safety and other services and announced that it would not authorize new broadcast stations on those channels.³ Thus, the Commission may not grant the request in the Surviving Application for authority to construct and operate the Station on Channel 61. Recognizing, however, that applicants “had already invested time, money and effort into their applications [for Channels 60 through 69],”⁴ the Commission stated that it would provide them an opportunity to amend their applications to seek a channel below Channel 60.⁵

On June 3, 1998, prior to the release of the *Public Notice*, Paxson submitted an amendment to the Surviving Application requesting authority to substitute Channel 50 for Channel 61 and place the application in compliance with the Commission’s reallocation policies. On November 22, 1999, the Commission released the anticipated *Public Notice*, announcing the opening and associated details of a filing window for, *inter alia*, petitions for rule making seeking a new channel below 60 for those applicants with pending applications for new full-service NTSC television stations on Channels 60-69. Pursuant to the *Public Notice*, the Applicants submit this instant petition seeking the substitution of the commercial television allotment on Channel 50 in Mobile, Alabama.⁶

The Applicants hereby reiterate their request for waiver of the “DTV freeze” as was sought in the initial Surviving Application.

³ Reallocation of Television Channels 60-69, *Report and Order*, ET Docket No. 97-157, 12 FCC Rcd 22953, ¶40 (1998).

⁴ *Public Notice* at 2.

⁵ Reallocation of Television Channels 60-69, 12 FCC Rcd 22953 at ¶40. The Commission formally announced this opportunity in the *Public Notice*.

⁶ The Commission extended the window filing opportunity to July 15, 2000 in a subsequent Public Notice (DA 00-536; rel. Mar. 9, 2000).

The enclosed Technical Exhibit of du Treil, Lundin & Rackley, P.C. (the “Technical Exhibit”) provides detailed information concerning the Station’s technical operations on Channel 50 with its proposed facilities. As indicated in the Technical Exhibit, operating on channel 50, the Station would comply with the community coverage requirements of Section 73.685(a) of the Commission’s rules. If the Station uses the proposed minus (-) carrier offset, no calculated interference is caused to existing in-core low power or potential Class A stations.

The proposed allotment substitution to Channel 50, however, would result in minor short-spacings in contravention to Section 73.610 of the Commission’s rules.⁷ The Applicants diligently searched for an available channel for reassignment of the allotment that would not pose short-spacing problems but were unsuccessful. Likewise, the Applicants evaluated a number of transmitter sites in an attempt to identify a channel/site combination that would comply with Section 73.610, but that, too, was not successful. Accordingly, the Applicants are submitting the below request for waiver of Section 73.610 of the Commission’s rules to permit the short-spacings described herein. Grant of this waiver request would be in the public interest because new television service would be preserved in the face of the reallocation of Channels 60-69.

⁷ 47 C.F.R. § 73.610.

REQUEST FOR WAIVER OF 47 C.F.R. § 73.610

The Commission will waive its minimum distance requirements when an applicant can demonstrate that, in the circumstances presented, the public interest will be better served by waiver than by following the terms of the rule.⁸ Generally, the Commission applies a stricter standard for waiver of the short-spacing requirements at the allotment stage than at the application stage.⁹ It is an open question, however, as to how strictly the Commission will apply its waiver standards to allotment substitutions resulting from an involuntary reallocation of spectrum. The Applicants respectfully submit that in such situations, application of a stricter standard is not warranted. As shown herein, however, irrespective of the waiver standard applied, the Commission should grant the Applicants' waiver request.

The Applicants identified Channel 50 as the most viable alternative for providing new television service to Mobile because the channel posed the fewest short-spacing concerns. Specifically, pursuant to the standards set forth in the *Public Notice*, the Station would be short-spaced by 19.3 km to WFGX(TV), Channel 35, Ft. Walton Beach, Florida and by 5.5 km to WEIQ(TV), Channel *42, Mobile, Alabama.

I. THE COMMISSION SHOULD NOT APPLY A HEIGHTENED ALLOTMENT WAIVER STANDARD.

The Commission's standard for waiver of the minimum distance requirements at the application stage is well-established. Applicants seeking such waivers must demonstrate that the

⁸ See *K-W TV, Inc.*, 7 FCC Rcd 3617, 3618 (1992).

⁹ See, e.g., *Pueblo, Colorado, Memorandum Opinion and Order on Remand*, MM Docket No. 93-191, 16 CR 610, ¶23 (1999).

public interest would be better served if the Commission granted the waiver.¹⁰ If no fully-spaced sites for a broadcast station are available, the Commission will consider several factors, including the magnitude of the short-spacing, the nature and extent of any predicted loss of service, and whatever technical proposals that might reduce or eliminate objectionable interference.¹¹

Because the minimum distance requirements presumptively serve the public interest, the Commission applies a heightened waiver standard in considering the creation of a new short-spaced allotment.¹² A waiver at this stage will be granted only if the situation is “extraordinary,”¹³ has a “special justification,”¹⁴ or reflects a “compelling need.”¹⁵ Generally, very few allotment proposals satisfy this standard. Some that did were in the *VHF Drop-In Proceeding*, where the Commission explicitly noted the unique circumstances surrounding the proceeding and that a “large public benefit [was] gained at a minimal cost.”¹⁶ In adopting the short-spaced allotments, the Commission stated that the basic issue before it was “whether the benefits of added competition, diversity and service . . . outweigh claims of potential harm.”¹⁷

¹⁰ *K-W TV, Inc.*, 7 FCC Rcd at 3618; KRCA License Corp., *Memorandum Opinion and Order*, FCC 99-388, 1999 FCC Lexis 6337, ¶15 (1999).

¹¹ *Sarkes Tarzian, Inc.*, *Memorandum Opinion and Order*, 6 FCC Rcd 2465, 2466-67 (1991). “The Commission considers several factors . . . and each request stands on its particular facts.” *Id.* at 2467.

¹² *Portland, Tennessee*, 35 FCC 2d 601, 602 (1972).

¹³ *Id.*

¹⁴ *Toms River, New Jersey*, 43 FCC 2d 414, 417-418 (1973).

¹⁵ *Chester and Wedgefield, South Carolina*, 5 FCC Rcd 5572 (1990).

¹⁶ *London, Kentucky*, 7 FCC Rcd 5936, ¶7 (VSD 1992), *citing* Amendment of Television Table of Allotments to Add New VHF Stations in the Top 100 Markets, *Report and Order*, 81 FCC 2d 233 (1980) (“*VHF Drop-In Proceeding*”), in which the Commission added “drop-in” channels to the existing television allocation plan.

¹⁷ *VHF Drop-In Proceeding*, 81 FCC 2d 233 at ¶4.

In *Ventura, California*,¹⁸ the Commission proposed establishing a short-spaced allotment that, in contrast to the *VHF Drop-In Proceeding*, was not entirely new. Rather, the Commission proposed substituting one television allotment for another because the allotment was displaced by a reallocation to public safety services. Faced with the loss of a new broadcast service, the Commission proposed substituting a short-spaced allotment for the reallocated channel. The Commission acknowledged that it was “extremely unusual” to propose such a short-spacing, but said the substitution was “appropriate” because the forced reallocation was “unique” and left “limited options available.”¹⁹ Whether the Commission intended to create a new relaxed waiver standard for involuntary short-spaced allotments is not explicit in *Ventura, California*. What is clear, however, is that the Commission recognized the unique nature of the same type of circumstances that are present here and was willing to consider waiving its rules accordingly.²⁰

II. UNIQUE CIRCUMSTANCES AND SIGNIFICANT PUBLIC BENEFIT WARRANT SUBSTITUTING THE NEW ALLOTMENT.

A. The Involuntary Reallocation of the Mobile Allotment is “Extraordinary.”

Regardless of the waiver standard the Commission applies, substitution of Channel 50 for Channel 61 at Mobile is “extraordinary” and evidences a “compelling need.” The Applicants

¹⁸ *Ventura, California, Notice of Proposed Rule Making*, MM Docket No. 85-390, 50 Fed. Reg. 52806 (1985).

¹⁹ *Id.* at ¶6. The Commission ultimately selected a non-short-spaced allotment for the reallocation but maintained that its rationale for proposing the short-spaced allotment was appropriate. *Ventura, California, Report and Order*, 2 FCC Rcd 5882, ¶¶15-17 (1987).

²⁰ Although *Ventura, California* does not explicitly set forth whether the Commission was establishing a new waiver standard for involuntary allotment substitutions, the *Public Notice* does appear to adopt a different standard for those petitions to “change” the channel of an existing allotment than for petitions to “add” a new allotment. *Public Notice* at 5. Such a distinction is supported by the DTV proceeding (*see Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, Memorandum Opinion and Order on*

filed their applications over three years ago. Following that filing, however, the Commission decided to reallocate the Channels 60-69 band to public safety and other services, resulting in the deletion of Channel 61 and forcing the Applicants to identify a substitute channel. Finding an appropriate substitution has been a difficult exercise. Converging spectrum demands of a reduced core spectrum and the doubled number of dedicated television channels has limited the Applicants' options. Never before has the television broadcast spectrum been subject to such an enormous transformation, plainly qualifying as "extraordinary" circumstances. Even without the policy upheavals, the simple reallocation of the Channels 60-69 band alone satisfies the same "compelling need" the Commission found in *Ventura, California*²¹ to substitute a short-spaced allotment because of an involuntary reallocation to public safety. For these reasons, the waiver request easily satisfies the Commission's threshold.

B. New Service to Mobile is a "Large Public Benefit" – Especially in These Circumstances.

Grant of the Applicants' waiver request would result in a "large public benefit" with "minimal cost,"²² satisfying whatever waiver standard the Commission applies. To protect the integrity of the Table of Allotments, to conserve limited administrative resources, and to preserve opportunities for new broadcast service, the Commission generally is reluctant to delete a community's allotment if interest has been expressed.²³ Accordingly, in instances where

Reconsideration of the Sixth Report and Order, 13 FCC Rcd 7418, ¶158 (1998)) and is not unprecedented (see *Cochran, Georgia, Report and Order*, 3 FCC Rcd 5609 n.1 (PRD 1988)).

²¹ *Ventura, California, Notice of Proposed Rule Making*, 50 Fed. Reg. 52806.

²² *London, Kentucky*, 7 FCC Rcd 5936 at ¶8.

²³ See, e.g., *August, Gibson and Thomson, Georgia, Report and Order*, MM Docket No. 96-203, 1999 FCC LEXIS 470, ¶3 (VSD 1999).

allotments must be deleted, the Commission stands prepared to ensure that the addition of new voices can be preserved, if at all possible.²⁴

The Surviving Application indicates that nearly 900,000 persons in the Mobile community would gain new television broadcast service. Such an addition is an important public interest benefit but is even more compelling in light of the broadcast spectrum crunch facing the Commission. The implementation of digital television will absorb a predominant number of spectrum opportunities for the duration of the transition, generally precluding opportunities for new full power broadcast voices for an indefinite period.²⁵ Furthermore, many existing low power broadcasters who qualify for class A status will be able to obtain primary protection, further reducing the opportunities for new broadcast service.²⁶ With the chances scarcer for increased broadcast diversity, the Commission should preserve the few available possibilities. Accordingly, providing new full power television broadcast service to nearly 900,000 persons at this point would be a significantly huge public benefit.

C. The Mobile Allotment Would be Preserved at Little Cost.

After extensive analysis, the Applicants propose a channel/site combination that would present the least amount of interference. As in the *VHF Drop-In Proceeding*, the small cost of minor interference is outweighed by the significant gain in “added competition, diversity, and service.” The identified short-spacings are addressed in turn and more fully in the Technical Exhibit.

²⁴ See, e.g., *Ventura California, Notice of Proposed Rule Making*, 50 Fed. Reg. 52806.

²⁵ The DTV transition period is scheduled to end in 2006, but the market penetration requirement of 47 U.S.C. § 309(j)(14)(B) means the deadline likely will be extended. See *Completing the Transition to Digital Television*, Congressional Budget Office, Congress of the United States (Sept. 1999).

1. *WFGX(TV), Channel 35, Ft. Walton Beach, Florida.* Under the short-spacing rules, UHF stations operating 15 channels apart must be separated by a minimum of 119 km to prevent picture image interference on the lower numbered channel.²⁷ The Applicants' proposed operation of Channel 50 would create an N-15 short-spacing of 19.3 km (or 16% of the requirement) with respect to WFGX(TV), Channel 35 in Fort Walton Beach, Florida, with predicted interference to 4,591 persons.

It should be noted that even if the Station were fully-spaced and operating with maximum facilities, the predicted interference would be even greater than that the Applicants propose, affecting 4,764 persons.

The Commission has granted waivers of the N-15 minimum spacing in the past. Indeed, the separation at issue in *Ventura, California* was a 42.2 km short-spacing of the N-15 minimum distance requirement.²⁸ The Applicants' proposed 19.3 km short-spacing for the N-15 taboo is less than half of that proposed by the Commission in *Ventura, California*. The Commission also has granted N-15 waivers at the application stage. In 1969, the Commission granted the application of WFKP(TV), Louisville, Kentucky, to relocate its transmitter to a site short-spaced by 16.3 km to WTIU(TV), Bloomington, Indiana, a station separated by 15 channels.²⁹ Recently, the Commission granted a waiver of a high numbered channel separation taboo (N-14) in the case of KOOG-TV, Ogden, Utah and KZAR-TV, Provo, Utah, where the short-spacing

²⁶ Community Broadcasters Protection Act of 1999, § 5008 of Pub. L. No. 106-113, 113 Stat. 1501 (1999), Appendix I (*codified at* 47 U.S.C. § 336(f)).

²⁷ *See, e.g.,* Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Notice of Inquiry*, 2 FCC Rcd 5125, ¶64 (1987).

²⁸ *Ventura, California. Notice of Proposed Rule Making*, 50 Fed. Reg. 52806.

was of a greater magnitude than sought here (permitting a 48 km short-spacing of a 95.7 km separation requirement).³⁰ A grant of the Applicants' waiver request thus would be consistent with the Commission's prior decisions.

2. *WEIQ(TV), Channel 42, Mobile, Alabama.* Section 73.610 requires that UHF stations operating eight channels apart maintain a distance separation of 31.4 km. One of the UHF "taboos," this separation is designed to control IF beat interference. The proposed separation between Channel 50 and WEIQ(TV) would be 25.9 km, creating a short-spacing of 5.5 km (or 17.5% of the requirement). However, this short-spacing would have no impact on viewers. The interference that would result from the short-spacing – which theoretically would affect only 634 persons (or 0.1% of WEIQ(TV)'s service population) – completely would be masked by interference from existing allotments.³¹ Viewers of WEIQ(TV) thus would experience no new interference as a result of the proposed short-spacing.³²

²⁹ See New Jersey Public Broadcasting Authority (WNJB), New Brunswick, New Jersey; For Construction Permit, *Memorandum Opinion and Order*, 50 RR 2d 251 (1981) for a discussion of the waiver.

³⁰ Letter from Barbara A. Kreisman, Chief, Video Services Division, Federal Communications Commission, to Alpha & Omega Communications, LLC and Roberts Broadcasting Company of Utah (Nov. 26, 1997), *recon. denied*, Letter from Barbara A. Kreisman to Dean R. Brenner, Esq. (Apr. 23, 1998).

³¹ See Technical Exhibit.

³² The Applicants wish to disclose the potential for an N+5 short-spacing with facilities proposed in an application for a new station in Gulf Shores, Alabama on Channel 55 (FCC File No. BPCT-960920LU). Even if the Commission determines to give any weight to the short-spaced application, it is questionable whether this is a valid basis for concern. As explained in the Technical Exhibit, the Commission has determined that the N±5 channel separation requirement – intended to prevent intermodulation – is unnecessary between low power and full service NTSC television stations (*see Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, Sixth Report and Order*, 12 FCC Rcd 14588, 14654 (1997)) and did not adopt the restriction in establishing the distance requirements between DTV/NTSC stations or DTV/DTV stations (*see* 47 C.F.R. §§ 73.623(c)(2), 73.623(d)). Nor is the N±5 channel separation requirement considered in current interference methodology using

Conclusion

Substituting Channel 50 for the Mobile, Alabama allotment would be in the public interest because new television service would be preserved in the face of the extraordinary reallocation of Channels 60-69. By granting the concomitant waiver request of the minimum distance requirements, the Commission will respond to a compelling need for added competition, diversity, and broadcast service in smaller markets – an increasingly-scarce opportunity in light of spectrum demands, policy upheavals, and the indefinite DTV transition period. Because minimal new interference would result from the substituted allotment, the Commission should act to preserve for viewers the remaining available opportunities for full power broadcast television service.

WHEREFORE, for the foregoing reasons, the Applicants respectfully request that the Commission initiate a rule making proceeding to amend Section 73.606(b) of its rules to substitute channel 50 for channel 61 in Mobile, Alabama. The substitution would serve the

Longley-Rice under *OET Bulletin No. 69*. Moreover, because Channel 55 is not in the core spectrum, the Gulf Shores allotment will be deleted at some point in time.

public interest because the opportunity to provide new service will be preserved, resulting in a more efficient use of the broadcast spectrum.

Respectfully Submitted,

PAXSON COMMUNICATIONS
CORPORATION



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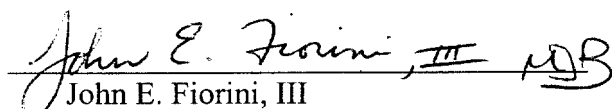


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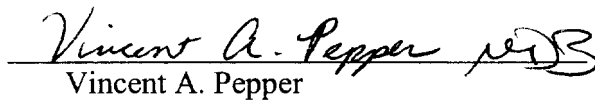


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Dated: July 14, 2000

ATTACHMENT

TECHNICAL EXHIBIT

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE NTSC ALLOTMENT TABLE
CHANNEL 50
MOBILE, ALABAMA

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of Paxson Communications Corporation in support of a Petition for Rule Making to modify the NTSC allotment at Mobile, Alabama by the proposed substitution of channel 50 for channel 61.

In the Public Notice, "Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for new Analog TV Stations", released on November 22, 1999, the FCC announced a filing window opportunity for applicants with certain pending application and allotment petitions for new analog TV stations. Specifically, applicants with pending applications for new full-service NTSC television stations on channels 60-69 are eligible for the filing window.

Currently Paxson Communications Corporation is treated as having a pending application (BPCT-960920WX) for operation on channel 61, and is therefore considered eligible for the filing window. The pending Paxson application proposes operation on TV channel 61 with a non-directional effective radiated power (ERP) of 5000 kilowatts and an HAAT of 298 meters.

On January 6, 1998, the Commission issued a Report and Order in ET Docket No. 97-157 wherein it reallocated channels 60-69 (746-806 MHz) for public safety

use and commercial fixed, mobile and broadcasting services. Since Paxson's proposed NTSC facility falls within this band of frequencies, it is proposing the substitution of channel 50 for the channel 61 NTSC allotment at Mobile.

NTSC channel 50 can be substituted and allotted to Mobile, Alabama in compliance with the principle community coverage requirements of section 73.685(a) at the following reference coordinates, Latitude 30° 37' 38", Longitude 87° 37' 31". Operation on channel 50 from the proposed site appears permissible with a directional antenna maximum effective radiated power (ERP) of 5000 kilowatts and an HAAT of 369 meters.

The proposed transmitter site would meet the Commission's minimum separation requirements applicable to NTSC operation on channel 50 specified in Section 73.610, except with respect to stations WFGX and WEIQ (a pending channel 55 application at Gulf Shores raises short-spacing concerns but does not preclude the channel 50 allotment substitution.) Each of the short-spaced stations is discussed later on in the text. The proposed channel 50 operation complies with the FCC's interference criterion with respect to DTV allotments and authorized DTV facilities provided in Section 73.623(c).

The proposed site technically is short-spaced to WPXL-DT, but, pursuant to the Public Notice, this short-spacing can be disregarded because no new interference would be caused. Therefore, it is proposed to modify the NTSC allotment at Mobile with the following specifications:

State & City	NTSC Channel	NTSC ERP(kW)	Antenna HAAT(m)
AL, Mobile	50	5000	369

It is proposed to amend the NTSC Table of Allotments, Section 73.606(b) of the Commission's Rules, as follows:

<u>City</u>	<u>Present</u>	<u>Channel No.</u>	<u>Proposed</u>
Mobile, Alabama	5,10,15,21,31,42,61	5,10,15,21,31,42,50	

It is proposed to allot UHF channel 50 at Latitude 30° 37' 38", Longitude 87° 37' 31". The channel 50 facility proposes operation with an antenna radiation center height above mean sea level (RCAMSL) of 401 meters, an antenna radiation center height above average terrain of 369 meters, and a directional antenna maximum ERP of 5000 kilowatts. The directional antenna would be mounted on the existing tower of station WEAR-TV (Ch. 3, Pensacola, FL). The tower has an overall height above ground level of 383.1 meters (1257 feet). The FCC Tower ID number for the existing structure is 1029916.

Figure 1 shows the horizontal and vertical relative field patterns for the proposed Dielectric TFU-31ETT P210 directional antenna.

Because of the FCC's requirement to vacate the Mobile channel 61 allotment, a search of the remaining TV band (channels 2 through 59) was conducted. No analog channel was found which met all of the FCC's separation requirements. Channel 50 is believed to present the best possibility for the FCC to retain the proposed commercial analog TV service to the Mobile area.

Figure 2 is a copy of the television allocation study showing pertinent analog and digital stations and allotments. Where appropriate, interference studies were made in accordance with the procedures adopted in the FCC's 6th Report and Order and Memorandum Opinion and Order in MM

Docket No. 87-268 and outlined in OET Bulletin No. 69.¹ As indicated, the allotment reference point is fully-spaced to all NTSC stations except with respect to the stations discussed below.

Sheet 1 of Figure 2 indicates that the proposed channel 50 Mobile operation would be 19.3 kilometers (12 miles) short-spaced to station WFGX on channel 35 at Fort Walton Beach, FL. The actual separation is 100.6 kilometers and the FCC's normal requirement is 119.9 kilometers to control picture image interference. This interference is an analog (NTSC) characteristic and occurs only to the lower channel (WFGX in this case). Interference calculations have been made using the procedures outlined in the FCC's OET-69 bulletin. Calculations were made based on the proposed channel 50 operation (5000 kW-DA, 369 m) and from an assumed minimum spaced (119.9 km) maximum facility (5000 kW, 610 m) operation. The interference calculations indicate that the proposed channel 50 operation will cause less interference to the WFGX service population than would a minimum spaced, maximum facility NTSC channel 50 station. The predicted interference is to 4,591 people from the proposed channel 50 operation and is to 4,764 people from the assumed minimum spaced, maximum facility operation.

The FCC has granted waivers of the 15 channel separation requirement. An example is stations WKPC-TV on channel 15 at Louisville, Kentucky and WTIU on channel 30 at Bloomington, Indiana. The separation between these

¹ The duTreil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 1 km was employed. An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.

stations is 103.6 kilometers, 16.3 kilometers less than the FCC's normal requirement.

Station WEIQ on channel *42 at Mobile is also shown as short-spaced to the proposed channel 50 operation. The actual separation is 25.9 kilometers and the FCC's normal requirement is 31.4 kilometers (5.5 km, 3.4 mi. short-spacing). The 8 channel analog separation is to control IF beat interference. Interference calculations were based on the procedures outlined in the FCC's OET-69 bulletin. The proposed channel 50 operation is calculated to cause interference to approximately 634 people within the WEIQ service area. An examination of all the analog (NTSC) and digital television (DTV) assignments providing interference to the WEIQ service area has been made. It indicates that the calculated interference from the proposed channel 50 operation is completely masked by interference from other analog operations and DTV allotments. In other words, the proposed channel 50 operation is not creating new (unique) interference. Furthermore, the amount of interference caused (634 people) is only 0.1% of the population within the WEIQ service area (543,932 persons).

The FCC has waived the 8 channel separation requirement in the past. An example is stations WTIN on channel 14 at Ponce, Puerto Rico and WNJX-TV on channel 22 at Mayaguez, Puerto Rico. The separation is 26.8 kilometers, 4.6 kilometers (2.9 miles) less than the FCC's normal requirement.

Sheet 2 of Figure 2 shows a short-spacing with respect to a pending application for channel 55 at Gulf Shores, Alabama. It is generally recognized that the analog 5 channel intermodulation separation requirement is not necessary. This belief is bolstered by the FCC no

longer requiring 5 channel separation requirements for low power television (LPTV) stations, and the FCC's OET-69 bulletin does not consider stations operating 5 channels apart for interference calculations. In addition, the Commission has recently granted similar waivers of the intermodulation separation requirements. In Memorandum Opinion and Order, FCC 99-388, released on December 14, 1999 the Commission granted waivers of the 4 channel separation requirements between stations KSCI, Ch. 18 at Long Beach, CA and KWHY-TV, Ch. 22 at Los Angeles, California. The separation between each station is 0.05 kilometers, 31.35 kilometers less than the FCC's normal requirement. In the same Memorandum Opinion and Order waivers of the 4 channel separation requirement were also granted between stations KDOC-TV, Ch. 56 at Anaheim, California and KVEA, Ch. 52 at Corona, California (30.96 kilometers short) and stations KRCA, Ch. 62 at Riverside, California and KLCS, Ch. 58 at Los Angeles, California (30.21 kilometers short).

Based on the above information, a waiver of the FCC's minimum separation requirements is respectfully requested to accommodate the above analog separation issues. Grant of the waiver will enable Mobile and the surrounding area to retain its commercial analog TV allotment.

Sheet 3 of Figure 2 indicates that the proposal is short-spaced to the DTV allotment of station WPXL on channel 50 at New Orleans, and also the WPXL-DT DTV application (BPCDT-990915TF) on channel 50 at New Orleans. The separation distances are only applicable to NTSC stations, however they can be used as an indication of which DTV stations have the potential to receive interference. With respect to DTV allotments or proposed DTV facilities, an interference analysis was prepared in

accordance with the procedures adopted in the FCC's Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket No. 87-268 and outlined in OET Bulletin No. 69. Studies indicate that the proposed channel 50 operation would not cause prohibited interference to any DTV allotments, including the digital allotment of station WPXL at New Orleans and the WPXL-DT digital application for channel 50 at New Orleans. Therefore, the proposed operation is in full compliance with the FCC's interference criterion with respect to pertinent DTV allotments.

Figure 3 provides a summary of DTV interference and service for the proposed channel 50 NTSC allotment.

On June 2, 2000, the FCC issued a Public Notice entitled Certificates of Eligibility for Class A Television Station Status (DA 001224), listing those LPTV stations that are eligible to file an application for Class A status. The list has been examined for potential impact. The following is a listing of pertinent surrounding LPTV stations eligible to file for Class A status, and the distance from the proposed Mobile channel 50 site.

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Distance</u>
none		35	>160 km
none		36	>160
none		43	>160
none		46	>160
none		47	>160
WDES-LP	Destin, FL	48	110.3
none		49	>160
none		50	>400
none		51	>160

No channels above 51 are considered for possible Class A protection since they are outside the FCC's designated TV core band (channels 2-51).

An interference analysis was prepared with respect to station WDES-LP, based on the procedures outlined in the FCC's OET-69 Bulletin. Based on the analysis, no calculated interference is caused to WDES-LP.

The separations to the other potential Class A LPTV stations are more than sufficient to not be an allocation problem. Therefore, the proposed Mobile channel 50 operation is not believed to involve an adverse allocation impact with an LPTV station requesting Class A status.

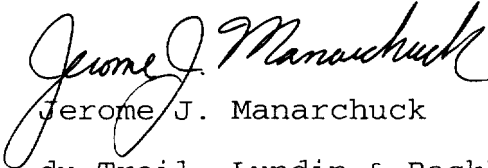
The proposed site is more than 1300 kilometers from the closest point of the Canadian Border. It is more than 1000 kilometers from the closest point of the Mexican border. The closest FCC monitoring station is at Powder Springs, Georgia located 451 kilometers to the northeast. The National Radio Quiet Zone (VA/WV) is located 1007 kilometers to the northeast. The Table Mountain Radio Quiet Zone (CO) is located 1907 kilometers to the northwest. The closest radio astronomy site conducting research on TV channel 37 is at Green Bank, West Virginia, located than 1122 kilometers to the northeast. All these separations are sufficient to avoid interference and coordination concerns with the proposed channel 50 analog operation at Mobile.

Figure 4 is a map which depicts the City Grade (80 dBu), Grade A (74 dBu), and Grade B (64 dBu) contours for the proposed channel 50 NTSC operation. The city limits of Mobile based on the 1990 Census data, are also shown. As indicated, all of Mobile is located within the

predicted City Grade contour. Therefore, the proposed channel 50 NTSC allotment will comply with the FCC's city coverage requirements.

Conclusion

It is believed, channel 50 can be substituted for the current channel 61 NTSC allotment at Mobile, in compliance with the FCC rules concerning NTSC allotment changes.

A handwritten signature in black ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 34237

June 14, 2000

Date	14 Jun 2000	
Call Letters	NEW	Channel 50
Location	Mobile, AL	
Customer		
Antenna Type	TFU-31ETT P210	

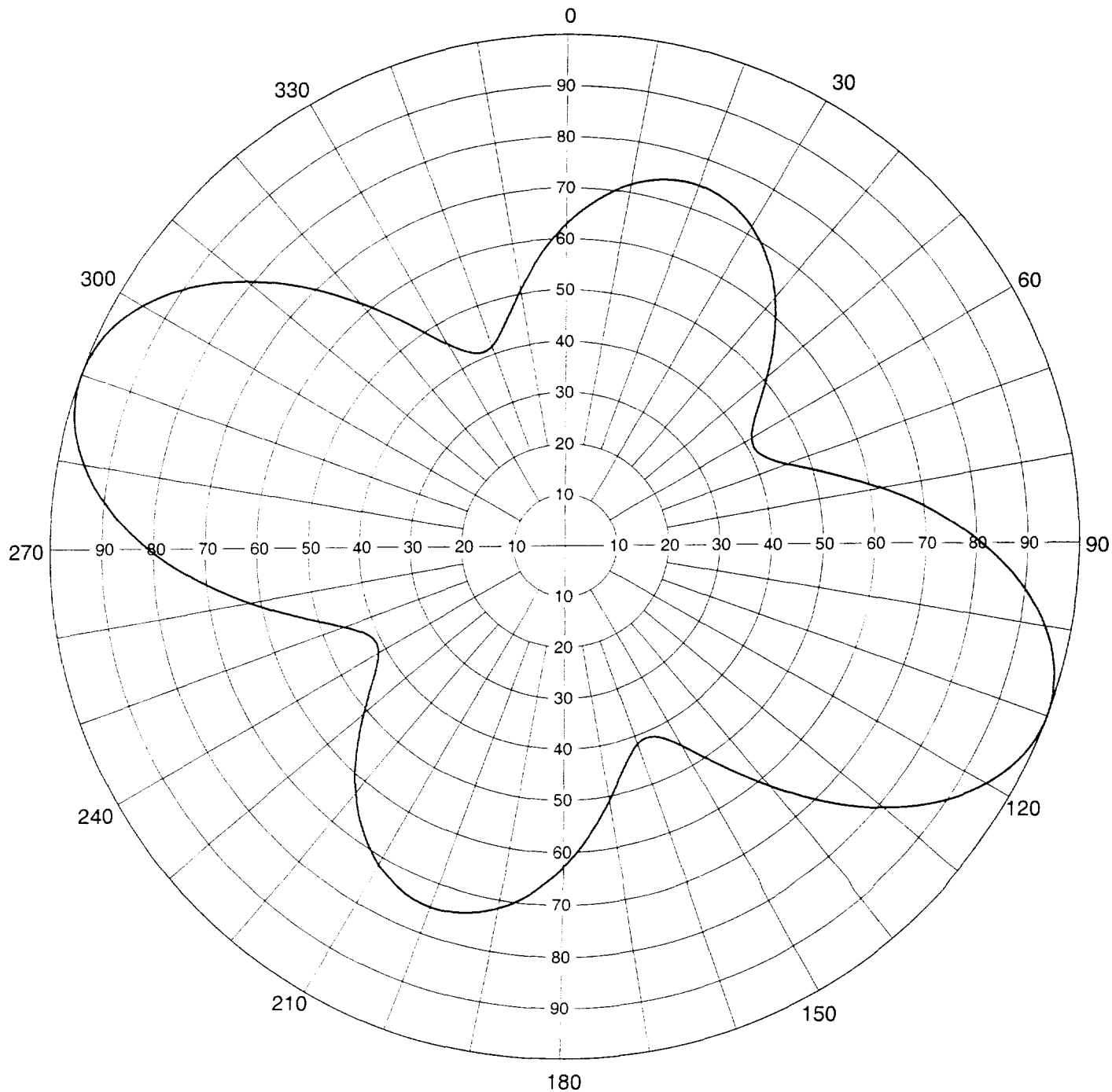
AZIMUTH PATTERN

RMS Gain at Main Lobe
Calculated / Measured

2.10 (3.22 dB)
Calculated

Frequency
Drawing #

689 MHz
P210



Remarks:



Date **14 Jun 2000**
 Call Letters **NEW** Channel **50**
 Location **Mobile, AL**
 Customer
 Antenna Type **TFU-31ETT P210**

TABULATION OF AZIMUTH PATTERN

Azimuth Pattern Drawing # **P210**

Angle	Field	ERP (kW)	ERP (dBk)
0	0.629	1950	32.90
10	0.716	2526	34.02
20	0.747	2750	34.39
30	0.716	2526	34.02
40	0.629	1950	32.90
50	0.508	1272	31.04
60	0.416	853	29.31
70	0.457	1029	30.13
80	0.622	1907	32.80
90	0.810	3233	35.10
100	0.949	4438	36.47
110	1.000	4928	36.93
120	0.949	4438	36.47
130	0.810	3233	35.10
140	0.622	1907	32.80
150	0.457	1029	30.13
160	0.416	853	29.31
170	0.508	1272	31.04
180	0.629	1950	32.90
190	0.716	2526	34.02
200	0.747	2750	34.39
210	0.716	2526	34.02
220	0.629	1950	32.90
230	0.508	1272	31.04
240	0.416	853	29.31
250	0.457	1029	30.13
260	0.622	1907	32.80
270	0.810	3233	35.10
280	0.949	4438	36.47
290	1.000	4928	36.93
300	0.949	4438	36.47
310	0.810	3233	35.10
320	0.622	1907	32.80
330	0.457	1029	30.13
340	0.416	853	29.31
350	0.508	1272	31.04

Maxima

Angle	Field	ERP (kW)	ERP (dBk)
20	0.747	2750	34.39
110	1.000	4928	36.93
200	0.747	2750	34.39
290	1.000	4928	36.93

Minima

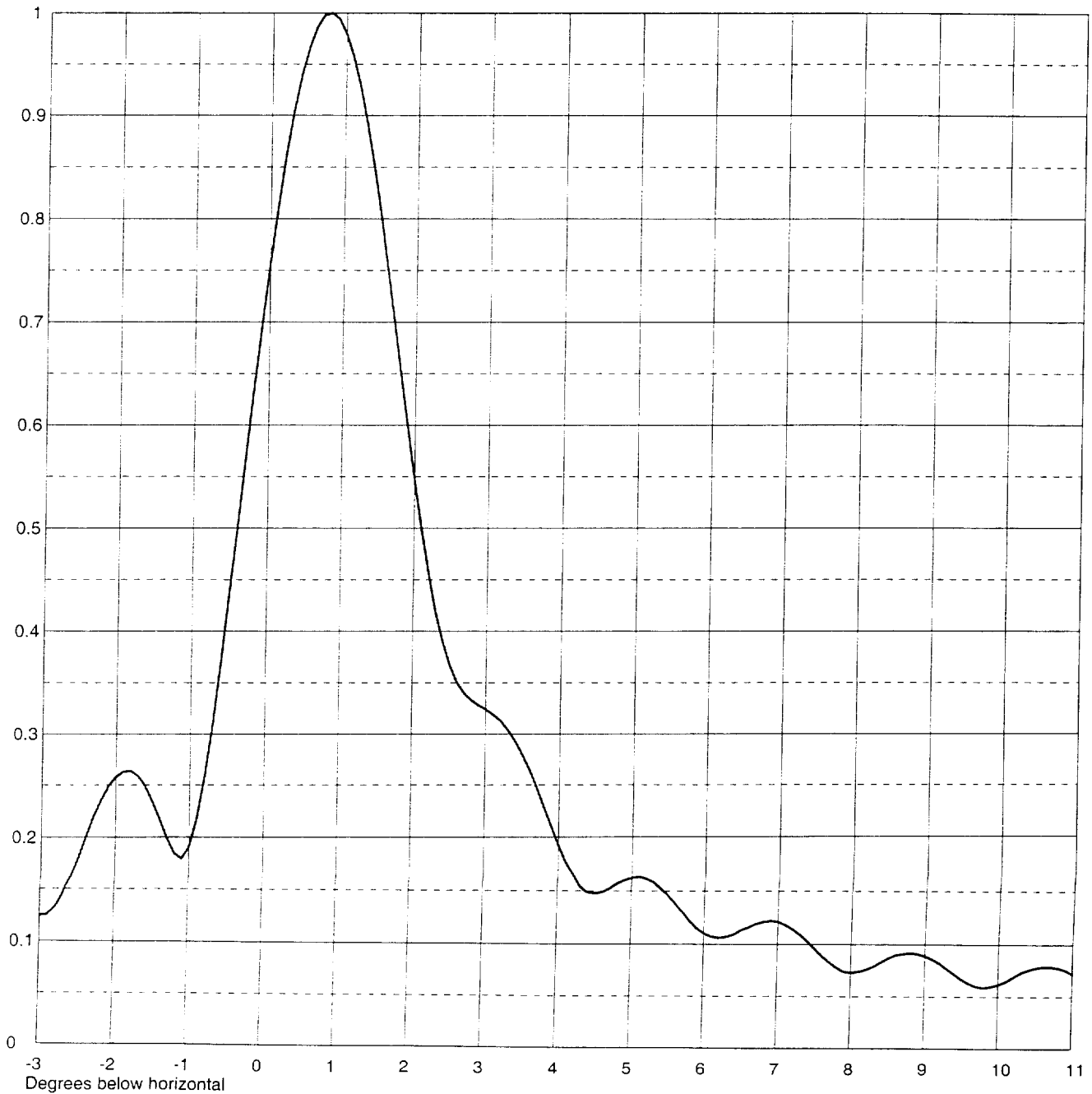
Angle	Field	ERP (kW)	ERP (dBk)
63	0.411	832	29.20
157	0.411	832	29.20
243	0.411	832	29.20
337	0.411	832	29.20

Remarks:

Date	14 Jun 2000	
Call Letters	NEW	Channel 50
Location	Mobile, AL	
Customer		
Antenna Type	TFU-31ETT P210	

ELEVATION PATTERN

RMS Gain at Main Lobe	28.0 (14.47 dB)	Beam Tilt	0.75 Degrees
RMS Gain at Horizontal	16.0 (12.04 dB)	Frequency	689.00 MHz
Calculated / Measured	Calculated	Drawing #	31E28007

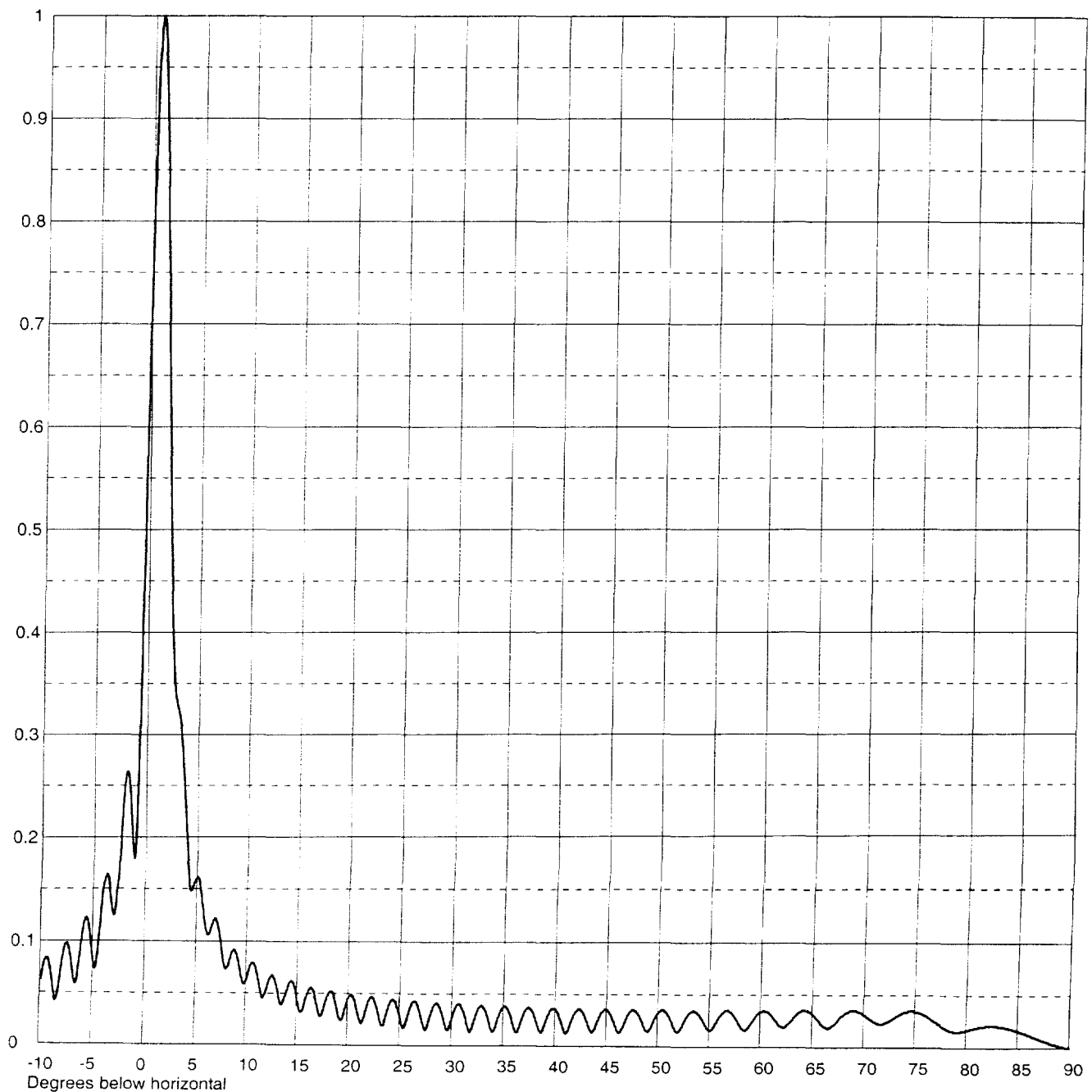


Remarks:

Date	14 Jun 2000	
Call Letters	NEW	Channel 50
Location	Mobile, AL	
Customer		
Antenna Type	TFU-31ETT P210	

ELEVATION PATTERN

RMS Gain at Main Lobe	28.0 (14.47 dB)	Beam Tilt	0.75 Degrees
RMS Gain at Horizontal	16.0 (12.04 dB)	Frequency	689.00 MHz
Calculated / Measured	Calculated	Drawing #	31E28007-90



Remarks:



Date **14 Jun 2000**
 Call Letters **NEW** Channel **50**
 Location **Mobile, AL**
 Customer
 Antenna Type **TFU-31ETT P210**

TABULATION OF ELEVATION PATTERN

Elevation Pattern Drawing # **31E28007-90**

Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field
-10.0	0.055	2.4	0.391	10.6	0.079	30.5	0.039	51.0	0.030	71.5	0.022
-9.5	0.083	2.6	0.351	10.8	0.078	31.0	0.036	51.5	0.020	72.0	0.023
-9.0	0.071	2.8	0.333	11.0	0.072	31.5	0.020	52.0	0.014	72.5	0.025
-8.5	0.042	3.0	0.324	11.5	0.049	32.0	0.017	52.5	0.022	73.0	0.028
-8.0	0.074	3.2	0.313	12.0	0.053	32.5	0.034	53.0	0.031	73.5	0.031
-7.5	0.098	3.4	0.293	12.5	0.067	33.0	0.038	53.5	0.035	74.0	0.034
-7.0	0.078	3.6	0.264	13.0	0.057	33.5	0.027	54.0	0.031	74.5	0.035
-6.5	0.062	3.8	0.228	13.5	0.039	34.0	0.013	54.5	0.023	75.0	0.034
-6.0	0.106	4.0	0.192	14.0	0.052	34.5	0.026	55.0	0.016	75.5	0.033
-5.5	0.121	4.2	0.164	14.5	0.062	35.0	0.037	55.5	0.020	76.0	0.031
-5.0	0.085	4.4	0.149	15.0	0.047	35.5	0.034	56.0	0.029	76.5	0.028
-4.5	0.090	4.6	0.149	15.5	0.032	36.0	0.019	56.5	0.034	77.0	0.024
-4.0	0.151	4.8	0.156	16.0	0.048	36.5	0.016	57.0	0.034	77.5	0.021
-3.5	0.159	5.0	0.161	16.5	0.055	37.0	0.031	57.5	0.029	78.0	0.018
-3.0	0.125	5.2	0.160	17.0	0.039	37.5	0.037	58.0	0.021	78.5	0.016
-2.8	0.133	5.4	0.152	17.5	0.029	38.0	0.029	58.5	0.016	79.0	0.015
-2.6	0.162	5.6	0.138	18.0	0.047	38.5	0.015	59.0	0.021	79.5	0.016
-2.4	0.200	5.8	0.122	18.5	0.051	39.0	0.020	59.5	0.028	80.0	0.017
-2.2	0.235	6.0	0.110	19.0	0.034	39.5	0.033	60.0	0.034	80.5	0.018
-2.0	0.258	6.2	0.106	19.5	0.025	40.0	0.036	60.5	0.034	81.0	0.019
-1.8	0.264	6.4	0.109	20.0	0.044	40.5	0.026	61.0	0.031	81.5	0.020
-1.6	0.249	6.6	0.116	20.5	0.047	41.0	0.013	61.5	0.025	82.0	0.021
-1.4	0.217	6.8	0.121	21.0	0.030	41.5	0.021	62.0	0.020	82.5	0.021
-1.2	0.185	7.0	0.121	21.5	0.024	42.0	0.033	62.5	0.020	83.0	0.021
-1.0	0.191	7.2	0.114	22.0	0.042	42.5	0.035	63.0	0.025	83.5	0.020
-0.8	0.259	7.4	0.103	22.5	0.045	43.0	0.026	63.5	0.031	84.0	0.019
-0.6	0.371	7.6	0.089	23.0	0.029	43.5	0.014	64.0	0.035	84.5	0.018
-0.4	0.501	7.8	0.078	23.5	0.020	44.0	0.020	64.5	0.035	85.0	0.016
-0.2	0.634	8.0	0.073	24.0	0.039	44.5	0.032	65.0	0.032	85.5	0.014
0.0	0.757	8.2	0.076	24.5	0.043	45.0	0.035	65.5	0.027	86.0	0.012
0.2	0.861	8.4	0.083	25.0	0.029	45.5	0.029	66.0	0.021	86.5	0.010
0.4	0.940	8.6	0.090	25.5	0.018	46.0	0.016	66.5	0.018	87.0	0.009
0.6	0.987	8.8	0.092	26.0	0.036	46.5	0.016	67.0	0.021	87.5	0.007
0.8	1.000	9.0	0.089	26.5	0.043	47.0	0.028	67.5	0.025	88.0	0.005
1.0	0.979	9.2	0.082	27.0	0.030	47.5	0.035	68.0	0.030	88.5	0.003
1.2	0.927	9.4	0.072	27.5	0.015	48.0	0.032	68.5	0.034	89.0	0.002
1.4	0.850	9.6	0.063	28.0	0.030	48.5	0.023	69.0	0.035	89.5	0.001
1.6	0.754	9.8	0.059	28.5	0.041	49.0	0.014	69.5	0.034	90.0	0.000
1.8	0.649	10.0	0.062	29.0	0.033	49.5	0.021	70.0	0.031		
2.0	0.546	10.2	0.069	29.5	0.016	50.0	0.031	70.5	0.028		
2.2	0.457	10.4	0.076	30.0	0.025	50.5	0.035	71.0	0.024		

Remarks:

TV - TV Separation Study

Job Title : Mobile, AL
Zone : 3
Channel 50 (686-692 MHz)

Separation Buffer 161 km
Coordinates : 30-37-38 87-37-31

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
WFGX LIC	FORT WALTON BEACH FL	BLCT-871026KG	35(o) III	631 DA 60	30-26-36 86-35-56	101.5	100.60 -19.30	119.9 SHORT ¹
WFGX APP	FORT WALTON BEACH FL	BPCT-901113KH	35(o) III	617 DA 65	30-26-36 86-35-56	101.5	100.60 -19.30	119.9 SHORT ¹
WEIQ LIC	MOBILE AL	BLET-851216KG	*42(o) III	1170 183	30-39-33 87-53-33	278.0	25.87 -5.53	31.4 SHORT ²
ALLOC.	WIGGINS MS	-	43(-) III	0	30-51-24 89-08-12	280.4	146.96 51.26	95.7 CLEAR
WGIQ LIC	LOUISVILLE AL	BLET-921016KG	*43(+) III	5000 DA 275	31-43-05 85-26-03	59.2	241.38 145.68	95.7 CLEAR
WPCT CP MOD	PANAMA CITY BEACH FL	BMPCT-940927KH	46(o) III	126 DA 59	30-10-59 85-46-42	105.1	184.19 152.79	31.4 CLEAR
ALLOC.	HATTIESBURG MS	-	*47(o) III	0	31-19-40 89-17-32	296.5	177.18 145.78	31.4 CLEAR
NEW APP	HATTIESBURG MS	BPET-960724KS	*47(o) III	100 99	31-21-02 89-22-12	296.3	184.95 153.55	31.4 CLEAR
REQUESTS A WAIVER OF FREEZE.								
WPXL CP	NEW ORLEANS LA	BPCT-941228KH	49(o) III	2510 DA 271	29-55-11 90-01-29	251.8	243.85 156.15	87.7 CLEAR
WPXL LIC	NEW ORLEANS LA	BLCT-940609KE	49(o) III	5000 DA 271	29-55-11 90-01-29	251.8	243.85 156.15	87.7 CLEAR
ALLOC.	OPELIKA AL	-	50(o) II	0	32-38-54 85-23-06	42.8	308.85 28.05	280.8 CLEAR
NEW APP	OPELIKA AL	BPCT-960920IR	50(o) II	5000 195	32-38-33 85-14-13	44.6	318.23 37.43	280.8 CLEAR
REQUESTS A WAIVER OF FREEZE								
WBIF CP	MARIANNA FL	BPCT-960404LN	51(o) III	5000 339	30-30-41 85-29-24	93.1	205.26 117.56	87.7 CLEAR

¹ Based on OET-69 calculations, the proposal will cause less interference to WFGX than a fully-spaced, maximum NTSC facility operating on channel 50.

² Based on OET-69 calculations, no unique interference is predicted to be caused to WEIQ, Ch. 42 at Mobile.

TV - TV Separation Study

Job Title : Mobile, AL
Zone : 3
Channel 50 (686-692 MHz)

Separation Buffer 161 km
Coordinates : 30-37-38 87-37-31

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
<hr/>								
	PLAQUEMINE		50 (-)		30-25-11	266.7	319.67	329.0
ADD	LA	-	III	0	90-56-50		-9.33	SHORT ³
SITE RESTRICTION 31.5KM NE.								
WPAN	FORT WALTON BEACH		53 (o)	3090 DA	30-24-09	112.3	65.61	31.4
LIC	FL	BLCT-840221KF	III	219	86-59-35		34.21	CLEAR
NEW	GULF SHORES		55 (o)	1510 DA	30-36-37	137.5	2.56	31.4
APP	AL	BPCT-960920LU	III	308	87-36-26		-28.84	SHORT ⁴
REQUESTS A WAIVER OF FREEZE.								
NEW	GULF SHORES		55 (o)	182.	30-16-48	188.1	38.89	31.4
APP	AL	BPCT-960725LA	III	12	87-40-57		7.49	CLOSE
REQUESTS A WAIVER OF FREEZE								
	GULF SHORES		55 (o)		30-16-36	188.1	39.27	31.4
ALLOC.	AL	-	III	0	87-41-00		7.87	CLOSE
WAWD	FORT WALTON BEACH		58 (o)	138 DA	30-23-49	103.2	110.30	31.4
LIC	FL	BLCT-980805KE	III	54	86-30-27		78.90	CLEAR
NEW	DESTIN		64 (+)	3090 DA	30-46-01	80.9	100.85	95.7
APP	FL	BPCT-960405XK	III	159	86-35-07		5.15	CLOSE
	DESTIN		64 (+)		30-23-36	103.3	110.63	95.7
ALLOC.	FL	-	III	0	86-30-18		14.93	CLOSE
NEW	DESTIN		64 (+)	316. DA	30-23-20	102.5	120.14	95.7
APP	FL	BPCT-960405KE	III	65	86-24-16		24.44	CLEAR
NEW	DESTIN		64 (+)	347. DA	30-23-17	101.5	130.09	95.7
APP	FL	BPCT-960111KP	III	99	86-17-55		34.39	CLEAR
NEW	DESTIN		64 (+)	5000	30-23-17	101.5	130.09	95.7
APP	FL	BPCT-960404LK	III	99	86-17-55		34.39	CLEAR
NEW	DESTIN		64 (+)	1000	30-30-53	95.0	135.40	95.7
APP	FL	BPCT-960405KH	III	124	86-13-12		39.70	CLEAR
NEW	DESTIN		64 (o)	1200 DA	30-30-53	95.0	135.40	95.7
APP	FL	BPCT-960403KF	III	138	86-13-12		39.70	CLEAR

³ It is believed that this vacant allotment will be precluded by the allotment of DTV channel 50 to New Orleans, Louisiana.

⁴ This channel relationship is no longer considered for interference calculations.

TV - DTV Separation Study

Job Title :Mobile, AL

Zone : 3

Channel 50 (686-692 MHz)

Separation Buffer 161 km

Coordinates : 30-37-38 87-37-31

Call	City	Channel	ERP(kW)	Latitude	Bear.	Dist.	Req.
Status	St	FCC File No.	Zone	HAAT(m)	Longitude	True (km)	(km)
DWAWD	FORT WALTON BEA	49	50	30-23-43	103.2	110.75	12.0/106.0
DTVALT	FL	III	59	86-30-11		4.75	CLOSE
DWTOKTV	MERIDIAN	49	1000	32-19-38	332.1	213.97	12.0/106.0
DTVALT	MS	III	165	88-41-28		107.97	CLEAR
DPXL	NEW ORLEANS	50	61.7	29-55-11	251.8	243.84	244.6
DTVALT	LA	III	271	90-01-29		-0.76	SHORT ⁵
DWBRCTV	BIRMINGHAM	50	1000	33-29-19	13.5	326.73	244.6
DTVALT	AL	II	420	86-47-58		82.13	CLEAR
DWTLH	BAINBRIDGE	50	192.8	30-39-01	88.7	328.03	244.6
DTVALT	GA	III	410	84-12-13		83.43	CLEAR
DWHOATV	MONTGOMERY	51	284.8	32-08-30	26.2	187.62	12.0/106.0
DTVALT	AL	III	545	86-44-43		81.62	CLEAR
WAWD-DT	FORT WALTON BEACH	49	40 DA	30-23-49	103.2	110.30	87.7
CP	FL BPCDT-991105AL	III	56	86-30-27		22.60	CLEAR
DIGITAL TV; ERP AS SHOWN ON APPLICATION							
WTOK-DT	MERIDIAN	49	175	32-19-38	332.1	213.98	87.7
CP	MS BPCDT-991028DD	III	165	88-41-28		126.28	CLEAR
DIGITAL TV; ERP AS SHOWN ON APP.							
WPXL-DT	NEW ORLEANS	50	1000 DA	29-55-11	251.8	243.85	329.0
APP	LA BPCDT-990915TF	III	262	90-01-29		-85.15	SHORT ⁵
DIGITAL TV							
WBRC-DT	BIRMINGHAM	50	1000	33-29-19	13.5	326.74	280.8
CP	AL BPCDT-991004BM	II	373	86-47-58		45.94	CLEAR
DIGITAL TV							

⁵ The separation distances are only applicable to NTSC stations, however they can be used as an indication of which DTV stations have the potential to receive interference. With respect to DTV allotments or proposed DTV facilities, an interference analysis was prepared in accordance with the procedures adopted in the FCC's Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket No. 87-268 and outlined in OET Bulletin No. 69. Studies indicate that the proposed channel 50 operation would not cause prohibited interference to the digital allotment of station DWCCCL at New Orleans or the WPXL-DT digital application for channel 50 at New Orleans.

TV - DTV Separation Study

Job Title : Mobile, AL

Zone : 3

Channel 50 (686-692 MHz)

Separation Buffer 161 km

Coordinates : 30-37-38 87-37-31

Call	City	Channel	ERP(kW)	Latitude	Bear.	Dist.	Req.
Status	St	FCC File No.	Zone	HAAT(m)	Longitude	True (km)	(km)
WTLH-DT	BAINBRIDGE	50	1000	30-40-51	88.1	350.17	329.0
APP	GA	BPCDT-980928KH	III	578	83-58-21	21.17	CLEAR
DIGITAL TV							
WNCF-DT	MONTGOMERY	51	1000	32-22-04	33.4	232.45	87.7
APP	AL	BPCDT-991004BQ	III	244	86-15-42	144.75	CLEAR
DIGITAL TV							

Figure 3

TECHNICAL EXHIBIT
 PREPARED IN SUPPORT OF
 PETITION FOR RULE MAKING TO
 MODIFY THE NTSC ALLOTMENT TABLE
 MOBILE, ALABAMA

Interference and Service Summary

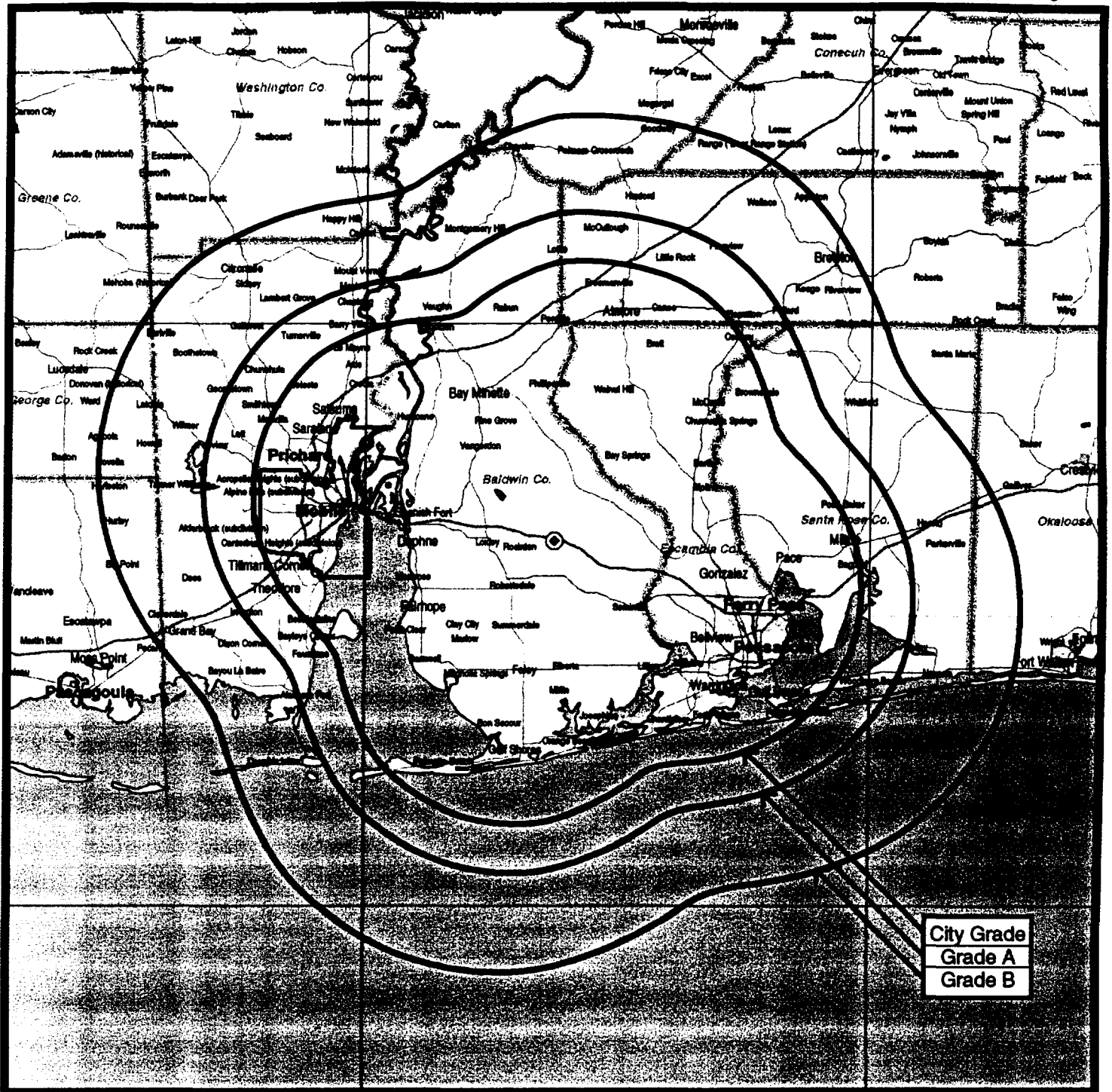
I. Interference Caused

Protected DTV Station	FCC Service Population	Interference Population
DWBRCTV, DTV Ch. 50 Birmingham, AL (Alt.)	1,645,556	3,182 (0.2%)
WBRC-DT, DTV Ch. 50 Birmingham, AL (CP)	1,498,887	236 (0.0%)
WTLH-DT, DTV Ch. 50 Bainbridge, GA (App.)	820,349	129 (0.0%)

II. Service

	Population
Grade B Contour	873,092

Figure 4



20 0 20 40 60
Kilometers

PREDICTED COVERAGE CONTOURS

PROPOSED NEW(TV)
MOBILE, ALABAMA

CH 50 5000 KW (MAX-DA) 369 M

du Treil, Lundin & Rackley, Inc. Sarasota, Florida